

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HYPH (USA), INC. and XHAIL, INC.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 22-579-CFC-LDH
)	
MICHAEL KIELY,)	CONFIDENTIAL –
)	FILED UNDER SEAL
Defendant.)	

STIPULATION TO STAY

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Dated: February 3, 2025

WHEREAS, the Court previously entered a Scheduling Order governing this case, D.I. 40, and amended that scheduling order, D.I. 46;

WHEREAS, the disputes between Defendant Michael J. Kiely (“Kiely”) and Plaintiffs (including entities and individuals affiliated with Plaintiffs) cover a number of pending proceedings other than this case;

WHEREAS, the parties have scheduled a global mediation for March 12, 2025 (5 days prior to the current trial date);

WHEREAS, the parties reasonably believe that it is likely they will settle all of their disputes via mediation and respectfully suggest that the parties’ and the Court’s resources will be better used to settle those disputes instead of preparing for trial; and

WHEREAS, so that the parties may focus their efforts on the settlement negotiations and engage fully in the mediation;

NOW, THEREFORE, the parties hereby stipulate and agree, subject to the approval of the Court, that:

1. The March 17, 2025 trial and the February 24, 2025 Final Pretrial Conference shall be vacated;
2. All deadlines in the case are STAYED;
3. If the parties have not filed a stipulation dismissing the action by July 17, 2025:

- a. The stay shall be lifted as of July 17, 2025; and
- b. The parties shall meet-and-confer and submit a joint proposed scheduling order by August 18, 2025.

/s/ Emily S. DiBenedetto
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Dated: February 3, 2025

SO ORDERED this 3rd day of February 2025.

/s/ Colm F. Connolly
United States District Judge